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March 14, 2025

VIA ECF

Honorable Sidney H. Stein
 U.S. District Judge, Southern District of New York
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl St.
 New York, NY 10007-1312

Re: United States v. Robert Menendez, et al., Case No. 1:23-cr-00490-SHS

Dear Judge Stein:

As the Court is aware, this Firm represents Defendant Wael Hana in the above-captioned matter. We write to respectfully request a brief adjournment of Mr. Hana's surrender date, which is currently scheduled for April 4, 2025.

First, as the Court knows, Mr. Hana's motion for bail pending appeal is currently pending before Your Honor. ECF 744. Should the Court deny that motion, Mr. Hana would seek relief from that denial in the United States Court of Appeals for the Second Circuit (and it may be that the Government would appeal if the motion is granted, though I do not know whether that is so). In order so that such an appeal could be filed, briefed, and argued pursuant to an appropriate and orderly schedule, and so that any decision on such an appeal could occur before Mr. Hana surrenders to serve his sentence—and accordingly, not have to surrender and then be released if the application is granted—an additional period of time from the time that Your Honor decides this motion would be very helpful, and we, accordingly, respectfully ask Your Honor to exercise your discretion to allow that time by postponing the surrender date. This time is particularly appropriate since Mr. Hana has determined to hire new counsel for appeal, and, while I will be remain involved so as to assure that these issues can be presented in short order, it would be helpful to them if some additional time before Mr. Hana has to surrender could be afforded him.

Furthermore, Mr. Hana is in receipt of a trial subpoena requiring his testimony in the upcoming trial of Nadine Menendez, which is to begin next Tuesday, March 18, 2025, ECF No. 716, and last at least a number of weeks. *See Exhibit A (Menendez Subpoena).* Mr. Hana will, of course, comply with that subpoena rather than risk contempt, fines, or imprisonment. But so that he will not have to be transported from and to a federal prison, and housed at the Metropolitan Detention Center—which Your Honor certainly did not intend when you allowed him voluntary surrender to the institution in which he will be housed (which, as of this day, has apparently not been assigned)—Mr. Hana respectfully submits that delaying his surrender for 45 days would

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allow him to fulfill his obligations under the subpoena, even as it would permit the Second Circuit, if necessary, to consider bail pending appeal.

For these reasons, Defendant Wael Hana respectfully requests a 45-day adjournment of his surrender date from April 4, 2025 to May 19, 2025. Of course, if Your Honor has any questions or concerns with regard to this request, please do not hesitate to call me. Thank you for your kind consideration of this matter.

Respectfully submitted,

s/ Lawrence S. Lustberg

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